

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 16, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: DIR-36626 – WATER FEATURE EXEMPTION-

APPLICANT/OWNER: WOODLANDS HOME OWNERS ASSOCIATION

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. The applicant shall pay a fee to the City through the Planning and Development Department an amount of \$3,340.00 to operate the water feature through December 31, 2009. This fee shall be paid within 30 days of the approval of this application. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.
2. The applicant shall post a sign at the water feature to indicate an exemption has been received allowing its operation.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Water Feature Exemption to allow the operation of an existing 359 square-foot water feature in a park of a residential planned development located at 1414 Pine Leaf Drive.

ANALYSIS

The applicant is requesting to activate an existing 359 square-foot water feature. The fountain was constructed in 1999, located within a park at the entrance of a residential planned development. Under current drought conditions, a maximum of 25 square feet is permitted without receiving an exemption. The water feature at the subject site exceeds the maximum permissible area by 334 square feet. The applicant proposes no reduction in turf; therefore, Title 14.11.190 will require the applicant to pay an initial fee of \$10.00 per square foot of surface area that exceeds the allowable 25 square feet permitted, a cost totaling \$3,340.00. In subsequent years beginning January 1, 2011, Title 14.11 requires the property owner to pay an annual fee of \$250.00 during Drought Watch or Alert Conditions to continue operating the water feature.

FINDINGS

The applicant has been notified of the applicable costs, and agrees to comply with the requirements outlined in Title 14.11. Staff is recommending approval of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS

0